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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Faamamata M. Tauanuu,  
Plaintiff,

vs.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
Defendant.

Case No.: 2:22-cv-01457-NJK

**MOTION FOR AN EXTENSION OF TIME TO  
PROVIDE THE COURT WITH A CD COPY OF  
THE CERTIFIED ADMINISTRATIVE  
RECORD**  
**(FIRST REQUEST)**

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), by and  
2 through her undersigned attorneys, hereby moves for a 14-day extension of time to provide the Court with  
3 a compact disc (“CD”) copy of the Certified Administrative Record (CAR) in this case. The  
4 Commissioner’s answer and CAR are due to be filed by November 15, 2022. This motion would extend  
5 the due date for the CD copy of the CAR to November 29, 2022.

6 In Social Security disability cases, the Commissioner must file the CAR with the Commissioner’s  
7 answer pursuant to 42 U.S.C. § 405(g). In addition to both a paper copy and an electronic copy of the  
8 CAR, the Commissioner normally provides the Court with a copy of the CAR on a CD in each case.  
9 However, due to personnel and technical problems specific to this case, the Commissioner is unable to  
10 create and deliver a CD copy of the CAR to the Court by the current due date for the answer and CAR.  
11 The persons within the Social Security Administration’s Office of the General Counsel with the technical  
12 ability and knowledge of this Court’s procedures necessary to produce the CD copy of the CAR have been  
13 on leave and unable to complete this task. As such, the undersigned attorneys have been unable to secure  
14 production of a CD copy of the CAR by the current due date, despite due diligence. Despite this inability  
15 to produce a CD copy, the Commissioner will be able to provide both a paper copy and an electronic copy  
16 of the CAR by the current due date. For this reason, the Commissioner requests a 14-day extension of time  
17 from November 15, 2022, to November 29, 2022, to provide the Court with a CD copy of the CAR.

18 The Commissioner submits that no prejudice will result from granting this extension. Under the  
19 scheduling orders in this district, Plaintiff’s motion for reversal and/or remand will be due in 30 days after  
20 issuance of a scheduling order. Plaintiff will not be prejudiced by this extension, as Plaintiff’s counsel will  
21 have access to the electronic CAR that the Commissioner intends to file on CM/ECF on the current  
22 deadline, such that Plaintiff’s motion can be drafted and filed. In addition, the scheduling orders of this  
23 district generally allow the Commissioner to file a cross-motion to affirm and response to Plaintiff’s motion  
24 within 30 days after Plaintiff’s motion is filed. Plaintiff is also generally allowed another 20 days to file  
25 an optional reply. In light of this timeline, the earliest that the Court may require a CD copy of the CAR  
26 to adjudicate this case will be 60 days after the CAR is filed.

1 For these reasons, the Commissioner respectfully requests that the Court grant this motion and  
2 allow the CD CAR to be provided to the Court within 14 days after the answer, electronic CAR, and paper  
3 CAR are filed, thus moving the due date for the CD CAR to November 29, 2022.

4  
5 Dated: November 14, 2022

Respectfully submitted,

6 JASON M. FRIERSON  
7 Acting United States Attorney

8 /s/ David Priddy  
9 DAVID PRIDDY  
Special Assistant United States Attorney

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13 IT IS SO ORDERED:

14   
15 HON. NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE

16 DATED: November 15, 2022  
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